

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
INITIAL STATEMENT OF REASONS

Subject Matter of Proposed Regulations: Abandonment of Application

Section Affected: Title 16, Division 39, California Code of Regulations, Section 4114

**SPECIFIC PURPOSE OF THE REGULATIONS:**

The specific purpose of the regulation is to amend California Code of Regulations section 4114 in order to establish a firm deadline after which an application for an occupational therapist license or occupational therapy assistant certificate is considered abandoned. The proposal also reduces the time an applicant has to submit their initial license fee once their application has been approved.

**FACTUAL BASIS/NECESSITY:**

Section 4114: The proposed language establishes a firm deadline for the abandonment of an application for a license or certificate. Current law extends the two-year abandonment period each time the applicant submits documents to the Board and Board subsequently notifies the applicant that the application is still deficient. This proposal will eliminate the possibility of an indefinite extension of the abandonment period. This will ensure that the information contained in the application, i.e. fieldwork experience, out-of-state disciplinary action, criminal history, etc., is no more than two years old at the time of application approval.

The proposed language also reduces from two years to sixty (60) days the amount of time for submitting the initial license fee after the application is approved. The reason for this amendment is similar to that above. If an application is approved toward the end of the two-year abandonment period, and the applicant has another two years to submit the initial license fee, the Board cannot ensure with any reasonable certainty that information provided in the original application is still accurate. The proposed language also increases from forty-five (45) days to sixty (60) days the amount of time allowed for submitting the limited permit fee after the application is approved. This amendment provides consistent time frames within the regulation.

The proposed regulations could have a minor impact to only those occupational therapists (OT) or occupational therapy assistants (OTA) applicants who do not complete their applications for license/certification within the two year abandonment period. Currently, there is no fee to submit an application. There may be a minimal fee in the future if the board implements one. However, the statutory maximum is \$50 and there is no current proposal to implement such a fee.

**UNDERLYING DATA:**

No underlying data was used during the development of these regulations.

#### BUSINESS IMPACT:

This regulation will not have a significant adverse economic impact on business. The proposed regulation will only affect applicants for an occupational therapy license or occupational therapy assistant certificate.

#### SPECIFIC TECHNOLOGIES OR EQUIPMENT:

This regulation does not mandate the use of any specific technologies or equipment.

#### CONSIDERATION OF ALTERNATIVES:

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulations.